

**CITY OF WEST LINN CITY COUNCIL  
PUBLIC HEARING NOTICE  
FILE NO. AP-14-01**

The West Linn City Council is scheduled to hold a public hearing on Monday, December 1, 2014, **starting at 6:30 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider an appeal by the West Linn-Wilsonville School District of the Planning Commission's denial of an amendment to Condition 3b of a Class II Design Review (DR-09-05), which allows the installation and use of field lights at Rosemont Middle School until 9p.m. The proposed amendment by the District (MISC-14-04) that was denied would allow the lights to be left on until 10 p.m.

The District asserts that the applicable approval criteria (Community Development Code (CDC) 55.100(C) and 55.100(D)) were misapplied, and the District does not agree that the six findings adopted by the Planning Commission demonstrate that Design Review approval criteria Sections 55.100(C) and (D) are not met by the application, or that the application cannot be conditioned to meet the criteria.

The notice of appeal and the complete application for this land use action are available for inspection at no cost at City Hall or via the web site at <http://westlinnoregon.gov/planning>, or copies can be obtained for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection at no cost, or copies can be obtained for a minimal charge per page. For further information, please contact Peter Spir, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, [pspir@westlinnoregon.gov](mailto:pspir@westlinnoregon.gov), or 503-723-2539.

The appeal hearing is on the record, and it will be conducted in accordance with Community Development Code 99.280 and any applicable procedures and Council Rules for on the record hearings. **No new facts or evidence may be submitted in an on the record appeal hearing.** Anyone wishing to present written argument on this proposed action may do so in writing by pointing out evidence in the record that is relied upon for the argument. Submitted arguments that include new facts or evidence will be redacted or will not be submitted into the record. The deadline for submitting written argument is Monday, November 24 at 3:00 pm. **Written argument will not be accepted after this deadline; there will be no written argument accepted at the hearing on December 1.** If you wish to read material at the meeting, you may do so, but the Council will not be accepting those as written materials. At the appeal hearing the Applicant, who is also the Appellant, will be allowed to present the basis for its appeal, opponents will have a total of twenty (20) minutes to divide amongst all those present opposing the application, and the Applicant will then have rebuttal. The Applicant and members of the public opposing the application may speak, but no new evidence or facts are allowed and those speaking should refer to the record for all facts relied upon.

The Council may continue the appeal hearing to another meeting if it chooses to open the record on a limited basis pursuant to CDC 99.080(C) to obtain additional evidence or testimony, or close the appeal hearing and take action on the appeal as provided by CDC 99.290.

Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.